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Item 7 of the provisional agenda

# PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND DOCUMENTATION, INCLUDING THE QUESTION OF THE FINAL OUTCOME

## Recommendations concerning the provisional agenda of the World Conference on Human Rights and its preparation submitted pursuant to paragraph 10 of General Assembly resolution 45/155

## Report of the Secretary-General

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## Recommendations of the Asia-Pacific Human Rights Conference on Peoples and Cultures Under Attack from "Development" - A Human Rights Response

(Osaka, Japan, 22-25 June 1992)

### Background

1. The International Movement Against All Forms of Discrimination and Racism (IMADR) and the Buraku Liberation Research Institute together with other groups have taken the initiative to establish an Asia-Pacific Human Rights Information Centre in Osaka, Japan. This initiative is supported by Osaka Prefecture Government and Osaka Municipal Government. The Centre is expected to function from 1994.

2. The sponsors of the proposed Centre had decided to consult experts and non-governmental organizations in the region and the conference was organized as part of this consultation process. In addition, the conference was also organized to contribute to the non-governmental organizations preparations for the International Year for the World's Indigenous People and the United Nations World Conference on Human Rights to be held in 1993.

3. The sponsors formed an ad hoc committee to organize the Asia-Pacific Human Rights Conference and invited individuals and representatives of NGOs in the region to join the Planning Committee for the conference. The Planning Committee met from 27 to 29 April and decided the structure of the conference.

4. The purpose of the conference was to enable the sponsors to identify the broad trends and patterns in the region with regard to the human rights situation and plan future directions for the proposed centre. It was intended to formulate a set of recommendations reflecting the NGO perspective on the human rights situation in the region for submission to the World Conference on Human Rights, especially in light of the International Year for the World's Indigenous People.

5. Based on these objectives, the theme and the subthemes of the conference were chosen in order to analyse development and its impact on human rights by utilizing common perspectives in the form of international human rights standards. Therefore, under the broad theme of "Peoples and Cultures Under Attack from 'Development' - A Human Rights Response", the following subthemes were discussed:

(a) Development and its impact on civil and political rights;
(b) Development and its impact on economic rights;
(c) Development and its impact on cultural rights;
(d) The rights of indigenous peoples;
(e) Development and its impact on sovereignty of nation States.

6. The participants in the conference, who were from 12 countries in the region, included members of NGOs, academics, lawyers and activitists.

Opening session

7. The opening session was presided by Mr. Kenzo Tomonaga, Secretary-General of the Buraku Liberation Research Institute, and was addressed by Mr. Kosaku Sakiyama from the Osaka Liaison Conference for the Universal Declaration for Human Rights, and Mr. Eiichi Sakaguchi, Vice-Mayor of the Osaka City Council.

8. The opening session was followed by keynote speeches by:

(a) Professor Kinhide Mushakoji on the main theme of the conference;

(b) Ms. Bhaswati Mukherjee, from the United Nations Centre for Human Rights, on the World Conference on Human Rights;

(c) Professor Kim Dong Hoon on the proposed Asia-Pacific Human Rights Information Centre.

9. Dr. Kim Dong Hoon explained the rationale for establishing the proposed centre by stating that human rights concerns had transcended nation States to become a concern of the international community. He also referred to the serious human rights problems in many countries and lack of respect showed by Governments in the region as reflected in the small number of ratifications of important human rights instruments. The lack of a regional mechanism, unlike other regions in the world, was also pointed out. The proposed centre would help NGOs to promote and protect human rights in the region. He also stated that the Centre had been proposed to be established in Osaka due to the presence of a strong human rights movement in the prefecture such as the Buraku liberation movement and the movement for equality for Koreans in Japan.

10. Professor Kim enumerated the following as possible future programmes of the proposed centre:

(a) Collection and dissemination of information concerning human rights;

(b) Human rights education;

(c) Training, including conducting courses on human rights;

(d) Research and studies on human rights-related topics of relevance to the region;

(e) Publications on important human rights issues in the region;

(f) Provision of services in Japan, such as legal aid to disadvantaged groups like migrant workers.

11. He stressed the point that the programmes of the proposed centre would reflect its regional nature while also playing a role within Japan. He also clarified that the proposed centre would be an independent NGO.

12. The representative of the United Nations Centre for Human Rights provided information on the preparations that were being made for the World Conference and emphasized the need for NGOs in the region to play an active role in contributing to the success of the Conference.

13. Referring to the regional meetings to be held in preparation for the Conference, it was stressed that reports from the regional preparatory meetings would constitute an important aspect of the deliberations of the World Conference. The regional meetings were expected to discuss problems relating to the protection and promotion of human rights from a regional perspective, as well as questions relating to ratification of human rights instruments and the role of national and regional institutions in the protection and promotion of human rights.

Conclusions and recommendations

14. The following conclusions and recommendations of the conference are based on the keynote speech delivered by Professor Kinhide Mushakoji, papers presented on subthemes and the discussions that followed each presentation.

General conclusions

15. The Asia-Pacific region is the only region in the world with a wide variety of nation States so different from one another in terms of size, population, political regimes and economic development. The economic and political differences among countries in the region has contributed to a vertical-division of labour with core countries (Japan, Australia and New Zealand), newly industrialized economies (NIEs) or dynamic Asian economies (DAEs), a semi-periphery (East and South-East Asia) and an inner-periphery (Pacific micro-States).

16. One common characteristic of all the States in the region is their pursuit of economic growth through industrialization. This is pursued as a major objective by all States. Those social groups and categories that do not share these objectives, or those that are excluded, face human rights violations.

17. The vertical division of labour between States in the region is an integral part of the "New World Order" that guarantees industrial growth and concentration of wealth in the core of the world system (North America, Europe and Japan). Those who are left on the periphery of the world system face growing impoverishment contributing to black-market economies, large-scale migration, environmental deterioration and intensification of discriminatory racist trends.

18. Those who do not participate in the national goal of industrial development are treated as minorities and excluded. Those who accept the national goal are exploited or become alienated as a result of industrial mass culture. Those who fight against the Governments and corporate actors by protecting socio-economic and cultural rights are often deprived of their civil and political rights by the authoritarian regimes.

19. Among the most victimized groups in the region are indigenous and tribal peoples whose cultural paradigm is the antithesis of industrial mass culture. Mention should also be made on the negative impact of development on women and children.

20. The process of industrial development has contributed to reinforcement of discrimination based on traditional status such as caste discrimination in India or Buraku discrimination in Japan. Such practices become more discriminatory than ever in an industrializing mass society.

21. What is needed is a development paradigm compatible with human rights. To ensure such a paradigm, development should centre around the human being. The needs of "the least of the least" should take precedence over other considerations.

22. Some of the characteristics of this development model would be: careful utilization of natural resources, meeting fundamental human needs, equitable distribution of wealth, and the creation of avenues for popular participation in the political process.

23. This human rights-compatible development model will attempt to eliminate those structures which impede the growth of human potential. Example of such structures are authoritarianism, militarism, patriarchy and outmoded traditions.

24. There are many dimensions to human rights. The civil, political, economic, social and cultural rights of human beings have often been compartmentalized and treated as distinct and separate. Human rights should be approached in a holistic manner. They are interrelated and interdependent. One right cannot be separated from another. Human rights are indivisible because the human being is an integrated whole. Consequently, it would be wrong to emphasize only individual rights. The collective rights of communities within nations should be protected. Similarly, rights of nations in the international system should also be safeguarded. However, human rights and democracy within the global system have been by and large ignored.

Development and its impact on civil and political rights

25. In many countries of the Asia-Pacific region, violations of civil and political rights are justified in the name of pursuing economic development. The issue of development is often presented to people as an option which is incompatible with democracy. The violation of human rights in the name of development is contrary to the internationally accepted notion that human rights are indivisible and interdependent and therefore it cannot be accepted. Moreover, the experience of the region has shown that guaranteeing civil and political rights is essential for the very survival of poor and other disadvantaged groups.

26. Governments in the region frequently resort to emergency regulations, security laws, detention without trial or charge, and other draconian measures to curb the rights of people.

27. In most countries militarization is justified as necessary to face unsubstantiated claims of internal and external threats. It contributes to lopsided allocation of resources to defence as compared with what is spent on the basic needs of the people.

28. In some countries the military dominates the civilian authorities and institutions thereby undermining the very basis of democracy by violating the principle that civilian supremacy should be ensured at all times. Moreover, in several countries the armed forces are engaged extensively to cope with ethnic and other internal conflicts and in the process become the main violators of human rights.

29. Use of vigilantes by the State to harass, intimidate or even physically harm the opponents of the regime is becoming more common in the region.

30. In some countries non-State groups engaged in armed conflict with the State commit grave abuses of human rights. In such conflict situations the violence and counterviolence cause enormous hardship and suffering to unarmed civilians who are not in any way engaged in the conflict; women and children suffer most in such conflict situations.

31. The States in the region should adhere to the established international principle that human rights that are recognized as non-derogable should be respected at all times, even during a state of emergency.

32. Civil and political rights should not be violated under the pretext of tradition and culture. Religious bigotry, in particular, which is on the rise in an number of countries, threatens civil and political rights, including the freedom of expression of numerous groups.

33. In some situations, discrimination practised on the basis of ethnicity, language and religion contributes to the deprivation of civil and political rights of such groups. In promoting and protecting civil and political rights, the specific problems faced by women should be given special attention.

34. Normally civil and political rights are associated with citizenship rights; however, groups such as migrant workers should be guaranteed certain basic rights that would protect them from extreme exploitation.

35. Efforts to integrate civil and political rights in situations where economic rights have taken precedence over individual rights should ensure continuation of the guarantee to economic rights as well.

36. In many countries of the region contemporary forms of slavery such as bonded labour, child labour and prostitution are prevalent; this is a grave and serious violation of human rights.

37. Problems such as bonded labour and other extreme forms of exploitation can be dealt with by facilitating the organization and mobilization of the disadvantaged groups. In this respect, the right to organize becomes an essential component to achieve both civil and political rights as well as economic and social rights. Moreover, the right to organize is a precondition for participatory democracy and should not be abrogated under the pretext of

ensuring stability and economic development. The right to organize to ensure popular participation becomes crucial, particularly in situations where representative democracy tends to degenerate into mere rule of dominant forces, camouflaging authoritarian tendencies.

38. The guarantee of the right to organize is closely linked to freedom of expression, in particular the right to receive and impart information. The control of the media and direct and indirect censorship and other forms of restrictions prevalent in some countries of the Asia-Pacific region should be removed to ensure the right to freedom of expression.

39. The eradication of slavery-like practices should become a priority for the Governments in the region as well as for the United Nations and its specialized agencies. In particular, the forthcoming forty-fifth anniversary of the Universal Declaration of Human Rights and the holding of the World Conference on Human Rights should be occasions for focusing on this serious violation of human rights. The existing United Nations mechanisms to deal with the problems, such as United Nations Working Group on Contemporary Forms of Slavery, have contributed much to raising global awareness of the problem and to the implementation of existing standards on slavery and slavery-like practices. In this connection, the decision of the Working Group on Contemporary Forms of Slavery to include in its agenda issues such as compensation for the victims of slavery should be welcomed. However, there is also a need to evaluate critically the effectiveness of the United Nations and the specialized agencies in dealing with contemporary forms of slavery and, if necessary, to formulate more effective strategies. The United Nations, in consultation with concerned Governments, should develop a programme to eradicate contemporary forms of slavery within fixed time-limits.

Development and its impact on economic and social rights

40. The development model pursued in most countries of the region has resulted in increasing poverty, unemployment and underemployment and has caused serious erosion of the fundamental right to a better livelihood. In rural areas it has lead to landlessness, loss of access to natural resources for the poor and displacement. In some situations the environmental degradation has created more acute problems for those who were already poor.

41. The development process does not resolve discrimination which existed previously but has resulted in the reinforcement of discrimination, as in the case of the Buraku in Japan and ex-untouchables in India. Affirmative action is needed in order to protect and promote the economic and social rights of minorities who continue to be discriminated against.

42. Large-scale development projects like building mega-dams, in displacing people and causing massive environmental damage, threaten the very survival of local communities and in particular those groups that are already disadvantaged. The implementation of mega-projects in some situations contributes to the debt burden of the country and seriously affects its economic viability to pursue its other social goals.

43. In many countries children face serious human rights violations due to exploitation of their labour in harmful and difficult occupations and in some cases sexual and other forms of abuses. In most countries the right to education is denied to children.

44. Most Governments, to attract foreign investment, impose severe restrictions on the rights of workers. As a result, those who are working in transnational corporations (TNCs) are forced to work for extremely long hours and receive very low wages. Where workers have succeeded in organizing unions and fight for their rights, TNCs resort to closure and even wholesale relocation of plants to countries where they have unrestricted freedom to exploit the workers.

45. In most countries of the region, there is a growing tendency for more and more productive labour to be pushed into the informal sector, thereby weakening the collective bargaining capacity of labour.

46. The debt incurred by countries in the region for the purposes of so-called economic development has not contributed to the welfare of the people. Rather, the repayment of such debts and the conditions imposed by multinational financial institutions directly contribute to the reduction of social services and welfare programmes that benefit the poor.

47. A more effective mechanism should be established or existing ones strengthened for the purpose of monitoring the activities of TNCs to ensure that they comply with national and international laws.

48. Donor countries that provide official development aid (ODA) for implementation of projects should ensure that such projects do not violate or contribute to violation of human rights.

49. In developed countries in the region where migrant workers are present and are subjected to extreme forms of exploitation, the Government concerned should provide adequate protection to these workers. These Governments should consider speedy accession and ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Development and its impact on cultural rights

50. Cultural rights may be identified as belonging to the following:

(a) The human rights of individuals, peoples, groups and minorities to existence and protection from physical oppression;

(b) The human rights of individuals are not to be violated on grounds of membership of a minority group;

(c) Persons belonging to ethnic groups are not to be the objects of hate or hostile propaganda;

(d) Prohibitions against actions meant to destroy or endanger existing character, traditions and culture of such groups;

(e) Rights of persons belonging to ethnic, linguistic or religious minorities to preserve their culture and language and rights of persons belonging to religious minorities to practise and profess their religion.

51. In any society there are contradictory visions of culture. Also, in many societies, women and children are not recognized as "creators" of culture but only as objects.

52. Culture being formulated by dominant groups leads to the denial of the rights of less dominant groups, best illustrated during the session by the examples given of the situation of minorities and indigenous peoples. The formulators may be the State, the market, patriarchy and so on. Formulators may deny certain core aspects of culture while emphasizing other manifestations of culture. For example, the costumes, dances and motifs of some cultures may be exhibited whilst the underlying spiritual basis is ignored.

53. At the global level, a powerful, seductive, consumerist, materialistic culture threatens to eliminate all over the world some of the sound, rational and healthy elements of local cultures. In the process, there is a real danger of a homogeneous materialistic culture emerging as the dominant global culture destroying cultural diversity and plurality everywhere.

54. Development projects are also a threat to cultural rights as seen in projects such as the building of dams that displace indigenous people from their traditional habitat and uproot their identity. In particular concepts of Gods, myths of creation and other cultural beliefs are very much part of their natural habitat and therefore displacement contributes to destruction of their culture.

55. Consequently, for many indigenous people cultural rights are intimately associated with retention of their way of life and protection of their right to their lands and resources. Therefore, the basic human rights of indigenous people must be respected to protect their culture. In this context, the right of self-determination for tribal and indigenous peoples to determine their way of life and to manage their resources is vital to protection of their culture. Development can also reinforce repressive elements of culture. For example, in some cultures, it may reinforce the status of men with regard to their control of resources or wealth. The rapid development process that is pursued by Governments in the region may also contribute to the need for some communities to assert their identity and in the process they may express some of the more repressive aspects of their culture.

56. Some of the multi-ethnic countries in the region are engulfed in violent ethnic conflicts. These conflicts have had an adverse impact on the protection of human rights in the region. Such conflicts have resulted in violations in the form of detentions without trial. Torture, disappearances and extrajudicial killings have also contributed on a colossal scale to loss of life, destruction of property, displacement of whole communities and the outflow of refugees.

57. Such ethnic conflicts are very often embedded in economic and political structures and in cultural and psychological factors. They are also the result of the policies pursued by colonial rulers. Despite the complex nature of the conflict, Governments generally adopt a law and order approach to deal with such conflicts. There is an urgent need to address these conflicts with boldness and courage and even explore adoption of some of the traditional methods of conflict resolution.

58. Some traditional cultures have important elements to contribute to contemporary society, e.g. respect for the environment and the status of women and children. Positive underlying values of indigenous and spiritual traditions can be incorporated into the value system of contemporary society, for example, the notion that every human being has a responsibility for the fate of all other humans. Another example is in the case of conflict resolution, where quest for truth and restoration of communal harmony are emphasized rather than an adversarial approach.

59. Cultural rights need to be classified and mapped out, due to their diversity and complexity.

60. There is a need for a dialogue on cultural rights.

61. Affiliation between communities should be encouraged. This affiliation should be based on common aspects of individuals or communities.

Development and women's rights

62. Within the present socio-economic and political context in the region, women are doubly oppressed. They are impoverished and face gender-based discrimination and violence. In some countries, despite economic development, the situation of women has remained the same or has deteriorated considerably.

63. The development model pursued by most Governments in the region has contributed to exploitation of women's labour as a source of cheap labour. In some situations even sexual exploitation is integrated into the overall strategy of economic development by encouraging sex tourism as an industry.

64. Women's economic rights should not be pursued as merely an issue of increasing employment, but should also be seen in relation to their right to own productive assets like land. This is particularly crucial to women in situations where customary and traditional practices deny women the right to own and enjoy productive assets, including land.

65. Development policies tend to ignore the concerns of women who are marginalized in the structures and institutions that make decisions affecting their lives. Development programmes pursued by Governments and international agencies ignore the concerns of women and often contribute to reinforcing the lower status of women.

66. Women should be involved in decision-making processes at all levels to ensure that their basic concerns are reflected in all policies and programmes.

67. In the Asia-Pacific region women are also subjected to various forms of violence. Such violence, regardless of its form, the nature of the perpetrators (individual, community or State) or where it happens (within the family or in the larger society) should be treated as a violation of human rights.

68. In societies that are strongly bound by religious and patriarchal values, discrimination against women tends to be more acute. Moreover, in some situations, religious bigotry or assertions of ethnic and other identities has contributed to a resurgence of discriminatory practices against women.

Indigenous peoples, development and human rights

69. Large-scale development projects on indigenous peoples' lands are not a new phenomenon and have historically taken the same pattern. These projects have caused ecological destruction, preventing indigenous peoples from being able to sustain themselves economically and culturally. Due to these projects indigenous people are evicted from their land which is the source of physical existence and an indispensable part of their identity, culture and economic base.

70. The marginalization of indigenous people which arises through the deprivation of economic and political rights allows little or no effective control over such "development projects".

71. It is essential that indigenous people have the right to determine policies that affect their way of life. In this context, the right to self-determination, which includes free and informed consent, becomes an important right in order to protect the survival of indigenous peoples.

72. Indigenous peoples must have the right to self-determination. By this we mean that indigenous peoples are allowed to freely determine their political status and to freely pursue their economic, social and cultural development. The specific nature of their rights has been largely considered in the draft universal declaration on the rights of indigenous peoples.

73. However, it should be acknowledged that the right to self-determination is being expressed differently by different groups of indigenous peoples, given their individual political context and social situations. For some, it may mean the right to exercise sovereignty over their territory which is controlled by a foreign Power. Some groups advocate the recognition of their sovereignty over their territory in order to freely determine the manner of coexistence with the State in which they live. For others, it may mean political and economic autonomy from the controlling Government, and freedom from the cultural dominance of the majority. For others still, it may mean receiving equal opportunities within the context of the nation State, including freedom from discrimination and the guarantee of equal access to development if they so choose.

74. The right of indigenous peoples to self-determination should not be under-emphasized - but be enshrined in the international, regional and national legal instruments that have bearing on indigenous peoples.

Furthermore, the different manifestations of self-determination should not be made an excuse to deprive indigenous peoples of their basic right to protect their lands, resources and livelihood.

75. Indigenous peoples should also have the right to negotiate on the bases of their customary laws, and should not be bound by international instruments or modern laws which are in conflict with their indigenous systems.

76. In endeavouring to protect the environment, it should be recognized that it is commonly believed that indigenous peoples are not responsible for severe destruction and the loss of natural habitat of endangered plant and animal species. Large-scale exploitation of forest resources for commercial purposes is the major cause of destruction of forests. However, given the limited forest resources, the traditional practices of hunting, gathering and swidden agriculture are now considered an environmental threat and, while acknowledging this, it should also be stated that the survival of the people must be accorded primary importance.

77. Recommendations made by the participants are:

(a) The Japanese Government should respect the rights of the Ainu people and other indigenous people in the Asia Pacific region;

(b) An international and/or regional supervisory body should be set up in order to secure the rights of indigenous peoples. This supervisory body should be established by indigenous peoples and should be under their authority;

(c) In view of the close link between some aspects of environmental protection and the survival of indigenous people, human rights NGOs should strengthen information exchange and networking with environmental NGOs;

(d) Participants in the conference also expressed their support for the efforts of the United Nations Working Group on Indigenous Populations to draft a Universal Declaration of the Rights of Indigenous Populations. The Working Group is urged to take into consideration the views expressed regarding their rights in this resolution;

(e) The proposed Asia-Pacific Human Rights Centre should collect and analyse information on multinational corporations' activities on indigenous peoples' land and their impact on the survival of indigenous people;

(f) The proposed centre's information networking of the situation on indigenous peoples should include the Pacific Rim of the Americas.

Development and its impact on sovereignty of nation States

78. The global economy controlled and managed by the elites of the North contributes to income disparities which are reflected in the distribution of the world's gross national product in the last 30 years. Countries with the richest 20 per cent of the world's population have increased their share of global GNP from 70.2 per cent to 82.7 per cent. On the other hand, the GNP of the countries with the poorest 20 per cent of the population fell from 2.3 per cent to 1.4 per cent.

79. Issues pertaining to intellectual property rights, subsidies and services are also being manipulated by powerful States in the North for their own economic interests. GATT's Uruguay Round of talks, which have not been completed, may in the end make decisions which are detrimental to the well-being of the people of the South. NGOs, human rights groups and the proposed Asia-Pacific Human Rights Information Centre should make the people of the Asia-Pacific region, in particular, and the people of the world, in general, aware of the grave danger posed by new rules and regulations pertaining to international economic relations.

80. In the South, over one billion people are living in absolute poverty deprived of primary health care and basic literacy. The poverty of the South is also linked with its political independence. Dependent on the North for investment, technology and markets, the South is not in a position to dissent or to challenge the powerful States in the North. Consequently, even the United Nations system is dominated by a few powerful States and there is no real democracy in the global system.

81. With the emergence of the United States of America as a powerful "super State" with enormous military power, the smaller poorer States in the South are deterred from developing independent political initiatives. This is further complicated by the control and domination of news and information by the northern countries.

82. However, nations in the South, in order to reduce the domination by the North, may choose to intensify efforts aimed at promoting cooperation and solidarity among themselves. But the forging of links by the Governments of the South to resist northern domination should not be the only way to deal with the global system. It is equally important for "citizens groups" in the North and the South to participate actively in the quest for a new international order which will protect the dignity of each and every human being. The citizens groups in the North should campaign for the reduction of the disparity of wealth between nations, for disarmament and for a total change in lifestyles and consumption patterns of the rich. Similarly, citizen groups in the South should fight against the domination of their societies by their own ruling elites. In addition, they should also be concerned about the lifestyles of the ruling elites.

83. This is particularly important when the nation State is in crisis, as it is today. The ruling elites in many societies have lost their legitimacy in the eyes of their own people. They have alienated themselves from the masses because of increasing authoritarianism on their part. They are unable to solve basic problems and unable to meet the aspirations of the people.

84. This malaise of nation States is further compounded by their inability to make decisions in many crucial areas within an increasingly global system. Since both the global system and nation States require scrutiny, it is important that citizens' groups undertake a sincere self-critique of their own roles, the role of nation States and the global system.

85. Citizens' groups and liberation movements who are proponents of social change tend to become as authoritarian as the forces that they criticize once in power or when they have established mass support.

86. Self-critique, the process of examining oneself, calls for an evaluation of our own attitudes and values which may contribute towards domination and negate the genuine liberation of the self.

Recommendation on the proposed Asia-Pacific Human Rights Information Centre

87. The following statement was adopted by the participants concerning the establishment of the proposed Asia-Pacific Human Rights Information Centre:

The participants of the conference welcome and support the initiative for the establishment of the Asia-Pacific Human Rights Centre in Osaka, Japan. Its establishment is a significant step forward in the struggle for human rights in the region.

The proposed centre could play an important role in influencing Japanese public opinion, including its policy makers, to play a more active role in the promotion and protection of human rights globally and in the Asia-Pacific region.

The proposed centre, in view of its regional nature, will contribute to greater interaction among human rights activists and others. And therefore it will contribute to generating and strengthening resources available to the region to promote and protect human rights in the region.

Close cooperation of the proposed centre with other national and regional non-governmental organizations would strengthen the human rights movement.

In finalizing and implementing its future programmes, the centre should seek wide participation and collaboration from NGOs in the region. In order to achieve this, those who are initiating the proposed centre could consider involving non-Japanese in the policy-making bodies as well as staff of the centre.

The Preparatory Committee of the proposed centre, in formulating its future policies, should take into account the conclusions and recommendations of this conference which looked into the question of human rights from the perspective of victims of development.

Participants also made several suggestions for specific programmes to be undertaken by the proposed centre for consideration by the Preparatory Committee for the Asia-Pacific Human Rights Information Centre. These suggestions pertained to human rights documentation, research, training and education.

The centre should take a multidisciplinary approach in conducting studies on human rights issues.

The Asia-Pacific Human Rights Centre is requested to cooperate in disseminating United Nations human rights documents in Asia-Pacific languages and to coordinte database-building in the region.

The proposed Asia-Pacific Human Rights Centre should collect and analyse information on multinational corporations' activities on indigenous peoples land and its impact on the survival of indigenous people. The proposed centre's information networking on the situation on indigenous peoples should include the Pacific Rim of the Americas.

The development model pursued by the Japanese Government and strongly supported by almost all Governments in the region has contributed negatively to the protection of human rights in the region. In this respect, the establishment of the Asia-Pacific Human Rights Centre in Japan would facilitate greater awareness on human rights within Japan and generate support from the Japanese people to counter the model of development pursued by the Japanese Government and other Governments in the region.

Recommendations on the United Nations World Conference on Human Rights

88. The participants made the following recommendations for consideration at the preparatory meetings as well as at the World Conference on Human Rights:

89. The World Conference on Human Rights should be an opportunity for Governments to reaffirm their commitments to human rights by ratifying the relevant human rights conventions which they have not yet ratified;

90. The International Bill of Human Rights and other important conventions and convenants have been ratified by very few Governments in the Asia-Pacific region. Therefore, we urge the World Conference to strongly urge Governments in the region to ratify at least the following:

(a) International Covenant on Civil and Political rights and its optional protocols;

(b) International Covenant on Economic, Social and Cultural Rights;

(c) International Convention on the Elimination of All Forms of Racial Discrimination;

(d) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(e) Convention on the Rights of the Child;

(f) Convention for Elimination of All Forms of Discrimination against Women;

91. The Governments should also ratify relevant ILO conventions.

92. The countries that have ratified these and other conventions should ensure their effective implementation.

93. The United Nations machinery for monitoring and implementing human rights should also be improved considerably. It is obvious that the United Nations human rights work receives low priority in the overall structure and operations of the organization. There is an urgent need to increase the

budget for human rights work, strengthen personnel resources and upgrade its administrative set-up. A more efficient and effective human rights machinery within the United Nations would be able to respond in a more dynamic manner to human rights violations brought to the notice of the United Nations Commission on Human Rights.

94. It is noted that reporting obligations established under different conventions and covenants are increasingly becoming ineffective due to non-compliance, delay and inadequate reporting.

95. To make such implementation mechanisms more effective, ways and means should be found for increasing participation of NGOs in collecting and submitting information to the respective committees.

96. In order to ensure effective implementation of ratified covenants and conventions, alternative approaches should be evolved to monitor the implementation of the provisions of these instruments by Governments. For example, on-the-spot visits in the form of missions could be undertaken to monitor as well as understand the genuine problems faced by countries in implementing the instruments.

97. The Governments in the region frequently resort to emergency regulations, security laws, detention without trial or charge, and other draconian measures to curb the rights of people. In some countries, there are also gross violations of human rights, in the form of torture, extrajudicial executions and involuntary disappearances. When such gross violations occur, the United Nations should deal with them as a matter of urgency and new mechanisms should be evolved to enable the United Nations to respond promptly to such violations.

98. In reviewing past achievements, the Conference should identify areas that need further strengthening.

99. The protection of economic, social and cultural rights is one of the important areas that needs further strengthening.

100. In the last four decades, the United Nations has developed an impressive number of instruments and mechanisms to promote and protect civil and political rights. The progress made in this field should be consolidated by further strengthening the existing mechanisms to protect civil and political rights. However, to be consistent with the principle of indivisibility of human rights the United Nations should also develop its role equally in the field of protection of economic, social and cultural rights. Therefore, the United Nations should evolve short- and long-term strategies to further equip the United Nations and its specialised agencies to protect economic, social and cultural rights. In particular, special attention should be accorded to the realization of the right to development.

101. In many countries of the region contemporary forms of slavery such as bonded labour, child labour, and prostitution are prevalent; this is a grave and serious violation of human rights. The eradication of slavery-like practices should become a priority for the Governments in the region as well as for the United Nations and its specialized agencies. In particular, the

forthcoming forty-fifth anniversary of the Universal Declaration of Human Rights and the holding of the World Conference on Human Rights should be an occasion for focusing on this serious violation of human rights. The existing United Nations mechanisms to deal with the problems such as the Working Group on Contemporary Forms of Slavery have contributed much to raising global awareness of the problem and also in the implementation of existing standards on slavery and slavery-like practices. In this context, the decision of the Working Group on Contemporary Forms of Slavery to include in its agenda and to discuss issues such as compensation for the victims of slavery should be welcomed. However, there is also a need to critically evaluate the effectiveness of the United Nations and the specialized agencies in dealing with contemporary forms of slavery and to formulate, if necessary, more effective strategies. The United Nations, in consultation with concerned Governments should develop a programme to eradicate contemporary forms of slavery with fixed time-limits.

102. The process of industrial development has contributed to the reinforcement of discrimination based on traditional status such as caste discrimination in India or Buraku discrimination in Japan. Such practices become more discriminatory than ever in industrializing mass society.

103. The World Conference should address itself urgently to an examination of all forms of discrimination on the basis of nationality, religion, ethnicity, language, status and gender. In particular, the Conference should undertake an examination of the status of women's rights in Member States. This review should be made on the basis of universally accepted human rights standards. One of the areas that requires special attention is that of violence against women, which should be considered a violation of women's human rights.

104. One of the most victimized group of people in the region are indigenous peoples. Development projects carried out in the name of bringing development in the region have threatened the very survival of indigenous peoples.

105. Large-scale development projects on indigenous peoples' lands are not a new phenomenon and have historically taken the same pattern. These projects have caused ecological destruction, preventing indigenous peoples from being able to sustain themselves economically and culturally. Due to these projects indigenous people are evicted from their land which is the source of physical existence and an indispensable part of their identity, culture and economic base. The marginalization of indigenous peoples, which arises through the deprivation of economic and political rights, results in little or no effective control over such "development projects".

106. It is essential that indigenous peoples have the right to determine policies that affect their very livelihood. In this context, the right to self-determination, which includes free and informed consent, becomes an important right in order to protect the survival of indigenous people.

107. Participants in the conference expressed their support for the efforts of the United Nations Working Group on Indigenous Populations to draft a Universal Declaration of the Rights of Indigenous Populations. The Working Group is urged to take into consideration the situation of indigenous peoples in the Asia-Pacific region.

108. The World Conference should review the existing methods adopted by the United Nations and the specialized agencies to disseminate information on human rights. Based on such a review, the Conference should adopt practical and creative methods to disseminate widely information on human rights. It should focus, in particular, on disadvantaged groups that are deprived of their human rights. This programme should be carried out with the assistance of NGOs at the local, national, regional, and international level.

109. In order to create more participation by national and local NGOs, in the various United Nations forums, efforts should be made to create access for those NGOs that are not in consultative status with the Economic and Social Council. In the preparatory meeting as well as in the World Conference, special efforts should be made to provide access to regional and national NGOs who do not have consultative status with ECOSOC.

110. Unlike Africa, Europe and America, there is no regional arrangement in the Asia-Pacific region. The World Conference on Human Rights should urge the Governments in the Asia-Pacific region to study the feasibility of establishing an intergovernmental regional mechanism for the promotion and protection of human rights.

111. In the Asia-Pacific region there are numerous regional, national and local organizations that are actively engaged in the promotion and protection of human rights. In view of this, NGOs in the region should be invited to play an active role in any study or concrete measure to be taken by the Government in the region for establishing an intergovernmental regional mechanism.

112. The participants in the conference, while acknowledging that the discussions at the World Conference will be confined to human rights and the implementation mechanism, would like to bring to the attention of the World Conference the need to strengthen democracy within global institutions. Also, there is an urgent need to reform some of the crucial organs of the United Nations.

113. The Security Council, whose five permanent members have veto power, is a major impediment to the development of genuine democracy in inter-State relations. The veto negates the principle of equal weight and value for the vote of every member nation of the United Nations. It creates super States that dominate the international system. It concentrates effective political power in the hands of the few at the expense of the many.

114. The veto power is the manifestation of the international power structure that emerged immediately after the Second World War. It is no longer relevant today. The World Conference on Human Rights should also give serious consideration to proposals on abolition of the veto.

115. The structure of the General Assembly should also be reviewed to reflect the changing international situation. The General Assembly is made up of all the Member States of the United Nations. This of course should continue because the nation State remains the most important individual actor in international politics. None the less, new realities are emerging which seem to suggest that supranational forces are getting stronger and stronger.

Problems of the environment have to be approached from a global perspective. Major economic issues demand global solutions. The challenge of human rights has become an international concern. Even AIDS and drug abuse are global problems.

116. To resolve these new global challenges, there is a need to develop a global outlook. Nation States by and large, by virtue of their status and orientation, cannot provide that outlook. That is why the United Nations should consider the creation of a second tier within the General Assembly which will look at the issues from a global perspective. This second tier should consist of representatives of non-governmental organizations and other peoples' movements.

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